

BEFORE THE
ILLINOIS COMMERCE COMMISSION

JAMAL SHEHADEH) DOCKET NO.
-vs-) 02-0002
CENTRAL ILLINOIS PUBLIC SERVICE COMPANY)
)
Complaint as to provide electric)
service at required minimum voltage at)
1312 Sportsman Drive in Taylorville.)

Springfield, Illinois
April 18, 2002

Met, pursuant to notice, at 10:00 A.M.

BEFORE:

MR. JOHN ALBERS, Administrative Law Judge

APPEARANCES:

MR. JAMAL SHEHADEH
1312 Sportsman Drive
Taylorville, Illinois 62568

(Complainant appearing pro se)

MR. STEPHEN R. KAUFMANN
Sorling, Northrup, Hanna,
Cullen & Cochran, Ltd.
Illinois Building, Suite 800
607 East Adams
Springfield, Illinois 62701

(Appearing on behalf of Central Illinois
Public Service Company)

SULLIVAN REPORTING COMPANY, by
Cheryl A. Davis, Reporter, CSR License #084-001662

1	<u>I N D E X</u>			
2	<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u> <u>RECROSS</u>
3	(None)			
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11				
12	<u>EXHIBITS</u>	<u>MARKED</u>	<u>ADMITTED</u>	
13	(None)			
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PROCEEDINGS

JUDGE ALBERS: By the authority vested in me, I now call Docket No. 02-0002. This docket concerns a complaint filed by Jamal Shehadeh versus Central Illinois Public Service Company. This complaint in particular concerns an alleged failure to provide electric service at a required minimum voltage at 1312 Sportsman Drive in Taylorville.

May I have the appearances for the record, please.

MR. SHEHADEH: Jamal Shehadeh.

JUDGE ALBERS: And would you give us your address as well, please?

MR. SHEHADEH: 1312 Sportsman Drive, Taylorville 62568.

JUDGE ALBERS: Thank you.

MR. KAUFMANN: For Respondent, Central Illinois Public Service Company, Stephen R. Kaufmann, Sorling Law Office, 607 East Adams, Springfield, 62701, and also on behalf of the Company is Jon Carls.

JUDGE ALBERS: Let the record reflect that there are no others wishing to enter an appearance.

1 Are there any preliminary matters this morning?

2 Okay.

3 I believe before we went on the record we
4 talked about there may be some outstanding discovery
5 issues or concerns.

6 MR. KAUFMANN: Yes, Your Honor. We on behalf
7 of CIPS served the Petitioner with a request for
8 documents and information, and on March 11 of this
9 year we received his response and objections to that
10 request for information, and we do have an issue as
11 to what we believe is an incomplete response.

12 Our Request No. 2 requested the owner's name,
13 address, and name plate data for the grain dryer
14 used at 1312 Sportsman Drive in November and
15 December 2001 and stated: "Further, if the name
16 plate data is not available, provide a single
17 heating element for Respondent's inspection as well
18 as a photograph of the entire unit." The response
19 at that time was that information about the owner
20 cannot be disclosed. Photographs are not available.
21 Name plate data is attached.

22 It's important for our defense of the case that

1 we be provided with the opportunity to inspect the
2 grain dryer or at least an element from it because
3 one of the theories of our defense is that our
4 providing of electricity to Mr. Jamal's residence
5 was sufficient and that any voltage problems created
6 were created by a nonresidential usage at that
7 residence, specifically a grain dryer, which we
8 understand from Mr. Shehadeh's deposition was being
9 utilized in his garage during November and December
10 of 2001 and was being used intermittently, and to
11 the extent there were any voltage problems, they
12 were created by the use of a grain dryer in his
13 garage and were not a problem with our service to a
14 residence, and so that's why we think the
15 information is relevant and should be provided.

16 JUDGE ALBERS: Okay. What were the particular
17 items you were looking for?

18 MR. KAUFMANN: Well, it was a grain dryer or,
19 as we know from the deposition of Mr. Shehadeh,
20 apparently only certain elements from the grain
21 dryer were being used or were being used
22 intermittently, and allowing us to inspect them and

1 test them would allow us to see what sort of
2 electricity was being used.

3 JUDGE ALBERS: You're interested in the name
4 plate data information or --

5 MR. KAUFMANN: Yes.

6 JUDGE ALBERS: -- an element from the dryer?

7 MR. KAUFMANN: No. We asked for the name plate
8 data, which I believe we were provided.

9 JUDGE ALBERS: Okay.

10 MR. KAUFMANN: He indicated that it was
11 attached, and I believe that has been provided, but
12 we wanted to either have access through contacting
13 the owner to the grain dryer itself, because it's
14 not owned by Mr. Shehadeh, or --

15 JUDGE ALBERS: Okay. I was just trying to
16 remember what particular items you were asking for
17 in the initial DR, and you've listed them off there.

18 MR. KAUFMANN: Right. So we do need a single
19 heating element for our inspection.

20 JUDGE ALBERS: Well, I see on the table
21 Mr. Shehadeh has what may be a grain dryer heating
22 element. I'm not 100 percent certain. Is it your

1 intent to provide that to the Company today?

2 MR. SHEHADEH: I can't be responsible if they
3 burn it up on testing it, so I mean if he gives me
4 his word that he'll return it in tip-top shape or
5 pay for it if he burns up the heating element.

6 JUDGE ALBERS: I'm not going to make you do
7 anything today. I'm just asking what your
8 intentions are.

9 MR. SHEHADEH: I'm intending on giving it to
10 him today.

11 JUDGE ALBERS: Okay.

12 MR. SHEHADEH: I can't give the owner's name.
13 I don't know if you still want that. I mean there
14 was no grain dryer. It was just the heating
15 elements from it set up kind of like a test bank so
16 I could turn on certain coils, depending on how much
17 heat I needed in my garage.

18 MR. KAUFMANN: We believe at this time that it
19 will be sufficient that we get a heating element.

20 JUDGE ALBERS: Okay.

21 MR. KAUFMANN: If it becomes apparent after
22 inspection and testing that that's not as much as we

1 need, we would press further to obtain the name and
2 address of the owner so we can get additional
3 information, but for right now I think that's what
4 we will need, and we'd represent to the Commission
5 that we'll return it in the same condition, and
6 certainly if our -- it's not our intent to do any
7 destructive testing or to damage the property we
8 inspect, and I believe I can represent that it would
9 be replaced at the cost of CIPS if we destroyed that
10 heating element. Certainly that would be our
11 obligation.

12 JUDGE ALBERS: Okay. Does that satisfy your
13 concerns?

14 MR. SHEHADEH: Yes.

15 JUDGE ALBERS: All right. Then let the record
16 reflect that Mr. Shehadeh has given a heating
17 element from the grain dryer at hand to CIPS, and
18 also note that I'm not making any kind of decision
19 as far as whether or not Mr. Shehadeh would in the
20 future have to give the identity of the owner.
21 We'll take that up at a later time if it becomes
22 necessary.

1 MR. KAUFMANN: Very good. Thank you.

2 JUDGE ALBERS: Was there any other discovery
3 issues to discuss?

4 MR. KAUFMANN: I don't believe so. An effort
5 was made apparently if the documents or information
6 existed to provide it to us.

7 JUDGE ALBERS: Okay.

8 MR. KAUFMANN: So at this time I believe that
9 the information is otherwise satisfactory.

10 JUDGE ALBERS: Okay. Mr. Shehadeh, did you
11 have any discovery issues that are outstanding?

12 MR. SHEHADEH: Yeah. I made another data
13 request for some parts that were missing in their
14 response to my data requests for the results from
15 the volt meter that was placed on my service, the
16 recorder, and it's missing the dates between
17 December 13th and the 20th I believe, and I know
18 there was a recorder up there at the time because I
19 saw it. I mean it goes from the 12th to the 21st,
20 and the production numbers are in order though.
21 There's nothing missing out of them. So I don't
22 have it. I know there was a recorder up there

1 because they changed it out every few days, so I
2 just need the results from that.

3 MR. KAUFMANN: I can only tell you what's been
4 represented to me by the client, and this was
5 specifically Bob Derber, and at the time when it's
6 necessary to prepare, submit prepared testimony,
7 he'll acknowledge this, but it's my understanding
8 that that data for the 13th through the 20th simply
9 was not created or is not otherwise available. I
10 want to assure the Commission we're not hiding
11 anything. Nothing was destroyed with the
12 understanding that it might become relevant to any
13 proceeding involving Mr. Shehadeh. It just simply
14 is not available and can't be provided.

15 JUDGE ALBERS: Okay. Just so I'm clear, where
16 was the recorder located?

17 MR. SHEHADEH: On the utility post in my front
18 lawn where the triplex attaches to the secondary
19 conductors.

20 JUDGE ALBERS: Okay, and it was just recording
21 the voltage going into your home basically?

22 MR. SHEHADEH: Right, correct.

1 JUDGE ALBERS: I guess it's the Company's
2 position that for whatever reason records were not
3 kept for those dates? I mean the machine didn't
4 actually record anything for those dates? Is that
5 what you're telling me?

6 MR. KAUFMANN: I'm not honestly sure as I sit
7 here, unless Mr. Carlson --

8 MR. CARLSON: That was my understanding is that
9 it malfunctioned and did not record on those days.

10 JUDGE ALBERS: Okay.

11 MR. KAUFMANN: It's one of those situations
12 where I sure wish we had it.

13 JUDGE ALBERS: At this time, given their
14 indication that it does not exist to give to you, I
15 don't know what I can do to tell them that they
16 should give it to you. If something happens in the
17 future in this proceeding where this or some other
18 similar information becomes available, you can renew
19 your request for that information, but at this time
20 I think we'll have to move on.

21 MR. SHEHADEH: Okay.

22 JUDGE ALBERS: Did you have any other discovery

1 issues?

2 MR. SHEHADEH: He made a request for the
3 accuracy certification for the volt meter that I
4 used to record the voltage and the current in my
5 residence.

6 JUDGE ALBERS: Okay.

7 MR. SHEHADEH: And I don't have any accuracy
8 certification, but I would be more than willing to
9 turn this over for them to test themselves.

10 MR. KAUFMANN: That would be great. We'd be
11 happy to borrow that. That would be with the same
12 understanding that we'll preserve it in good shape
13 and replace it if for some reason it's damaged or
14 destroyed.

15 JUDGE ALBERS: Okay. We'll let the record
16 reflect that Mr. Shehadeh has handed over his volt
17 meter to CIPS for testing purposes.

18 MR. SHEHADEH: Also they made a request for all
19 photographs and electronic images of the display
20 that was in 2001. I e-mailed Mr. Kaufmann an
21 electronic image of my house, and I've also come
22 across a paper, front page picture of the house. I

1 don't see why he would need this for his defense,
2 but.

3 MR. KAUFMANN: You know, we have a copy of the
4 newspaper article at hand. I don't deny that
5 Mr. Shehadeh tried to e-mail me something, but I
6 didn't -- either didn't receive it or if I received
7 it didn't know what it was and didn't know how or if
8 I was suppose to open anything. I'm not the most
9 conversant on computers, so I don't deny that that
10 was provided, but I did not get it or download it.

11 MR. SHEHADEH: It was attached to that e-mail
12 that I sent you.

13 MR. KAUFMANN: That's probably correct. Maybe
14 you could just send it again to us. I'd appreciate
15 it.

16 MR. SHEHADEH: It's the same photograph.

17 MR. KAUFMANN: It's the same photograph from
18 the newspaper?

19 MR. SHEHADEH: Correct.

20 MR. KAUFMANN: Okay. Then under those
21 circumstances, we do have a copy of that.

22 MR. SHEHADEH: The one that was in the **Post**

1 **Dispatch, St. Louis Post Dispatch**, is the exact same
2 picture, so I don't see why you would need that.

3 JUDGE ALBERS: Okay. All right. Well, is
4 there any other discovery issues from either side at
5 this point?

6 MR. KAUFMANN: I don't believe so.

7 MR. SHEHADEH: No.

8 JUDGE ALBERS: Okay. Well, then it sounds to
9 me that we're ready to set schedules for the rest of
10 this.

11 Typically in a hearing we have each party
12 submit written testimony prior to the actual hearing
13 date, and it's usually done in a question and answer
14 form as if, you know, the party's attorney was
15 asking them questions and they were answering. Pro
16 se complainants often do not do this. You've
17 exhibited, you know, a certain degree of familiarity
18 with the legal rules that we have in place here at
19 the Commission. Do you have a preference as far as
20 whether or not you submit oral testimony at the
21 actual evidentiary hearing or whether you would
22 prefer to try to prepare a written statement?

1 MR. SHEHADEH: I would rather just do it at the
2 actual hearing. It would be easier for me. I don't
3 know what I'm doing.

4 MR. KAUFMANN: It would be easier for him but
5 harder for me I guess because I'd like to know in
6 advance what he intends to submit as evidence or
7 testimony so that I can adequately prepare for
8 cross-examination, and I know that we are going to
9 submit prepared testimony.

10 I would, you know, certainly as an
11 accommodation help to relax the standards, if you
12 will, for what would need to be provided. So I
13 would wonder if in lieu of the typical Q and A that
14 you see, that perhaps Mr. Shehadeh could basically
15 set forth his position and his evidence and what his
16 testimony would be in a more informal, almost
17 paragraph form so that it would allow him to collect
18 his thoughts and allow me to see what he's going to
19 say so that we could cross-examine.

20 JUDGE ALBERS: If it were to be in a written
21 format, I was going to suggest that you not worry
22 about doing the question and answer format because

1 otherwise it doesn't make a whole lot of sense since
2 there's no one really asking you questions. It's
3 your own thoughts coming through from you.

4 Are you comfortable with basically providing
5 your position on paper just as a paragraph, in a
6 paragraph format?

7 MR. SHEHADEH: Well, that's fine, but would I
8 be able to ask questions during the hearing? I plan
9 to call at least one witness.

10 JUDGE ALBERS: You may be cross-examined on
11 some of the things that you say in your statements.

12 MR. SHEHADEH: Okay. That's fine with me.

13 JUDGE ALBERS: That's all right?

14 MR. SHEHADEH: Just type up what I'm going to
15 say or what my testimony is?

16 MR. KAUFMANN: Yeah.

17 MR. SHEHADEH: And then what about the evidence
18 that I'm going to present? Just make copies and
19 give it to them? How does that work?

20 JUDGE ALBERS: I'll take it one question at a
21 time.

22 I would suggest that you begin your statement

1 just by identifying yourself, who you are, your
2 background, what your interest is in this
3 proceeding. Well, obviously we know what that is,
4 but just give us general background information and
5 then proceed with, you know, what your position is
6 and why it is you believe that you should prevail
7 and what facts or allegations you may have against
8 CIPS.

9 MR. SHEHADEH: Okay.

10 JUDGE ALBERS: As far as actually any
11 particular pieces of evidence, like exhibits that
12 you would want to have admitted into the record, is
13 that what you're referring to?

14 MR. SHEHADEH: Correct.

15 JUDGE ALBERS: What kind of things are you
16 talking about? Documents?

17 MR. SHEHADEH: Documents, correct.

18 JUDGE ALBERS: Documents?

19 MR. SHEHADEH: Yes.

20 JUDGE ALBERS: Okay. Well, the answer to that
21 question is it depends. Were they documents that
22 you were going to present while you were questioning

1 perhaps a CIPS witness?

2 MR. SHEHADEH: Correct.

3 JUDGE ALBERS: Okay. Sometimes in certain
4 situations if you have data responses from a
5 particular individual and that individual is then on
6 the stand and you're asking that individual
7 questions about the responses he gave you in those
8 data requests, a party may ask to admit those prior
9 written responses as a cross exhibit. Does that
10 make sense?

11 MR. SHEHADEH: Correct.

12 JUDGE ALBERS: I don't know if that would be
13 the situation you're thinking of.

14 MR. SHEHADEH: The documents I have to submit
15 are basically either out of the ICC Administrative
16 Code, documents that I requested from them and they
17 provided, or documents out of their rules and
18 specifications for electric service manual. It's
19 nothing that they wouldn't have or have access to.

20 MR. KAUFMANN: It sounds as though these might
21 be documents which would be supportive of his
22 prepared testimony, and it would be helpful if he

1 would just attach what supporting exhibits he would
2 have.

3 JUDGE ALBERS: Okay. To the extent that you
4 want to rely on Commission rules, which is fine, I
5 would merely suggest that you don't need to
6 necessarily worry about attaching a copy of the rule
7 itself to your statement because, you know, we're
8 bound by the rules here at the Commission regardless
9 of whether or not they're in the record.

10 MR. SHEHADEH: Okay.

11 JUDGE ALBERS: So if that will save you some
12 trouble.

13 MR. SHEHADEH: Okay.

14 JUDGE ALBERS: Is that --

15 MR. KAUFMANN: Yes.

16 JUDGE ALBERS: When do you think it would take
17 to put this together? How much time would you need?

18 MR. SHEHADEH: Thirty days would be sufficient.

19 JUDGE ALBERS: Okay. Does the Company have any
20 objection to thirty days?

21 MR. KAUFMANN: No.

22 JUDGE ALBERS: Okay. So let's just say May

1 17th?

2 MR. SHEHADEH: We don't have to stick to
3 Thursdays anymore because I will be out of school
4 after the 9th I believe, 8th.

5 JUDGE ALBERS: Okay. That's good. Well, on
6 this day you just need to either mail -- basically
7 on this particular day CIPS and myself need to have
8 it in our hand.

9 MR. SHEHADEH: Okay.

10 JUDGE ALBERS: So you don't need to actually
11 show up anywhere. I mean if you want to deliver it
12 personally, that's fine, but you can either, you
13 know, mail a hard copy to us and sometimes people
14 will e-mail a whole complete set, but if you have
15 some attachments, it may not be possible to e-mail
16 to us, so it sounds like a hard copy would be the
17 route you would probably go.

18 MR. SHEHADEH: Correct.

19 JUDGE ALBERS: A ballpark idea of how much time
20 you might need to reply?

21 MR. KAUFMANN: Could we, just to be on the safe
22 side, maybe have 45 days?

1 JUDGE ALBERS: I'm not worried about it yet,
2 but I'll just remind everyone that we have a January
3 3, 2003 deadline.

4 MR. KAUFMANN: Okay.

5 JUDGE ALBERS: Before we add any more months to
6 our schedule.

7 MR. KAUFMANN: We have another Christmas
8 approaching.

9 JUDGE ALBERS: Okay. So where would that put
10 us? At June 28th? Is that roughly...

11 MR. KAUFMANN: All right.

12 JUDGE ALBERS: Now as the Complainant, you then
13 have an opportunity to respond to their testimony.
14 Why don't I give you a couple weeks after June 28th,
15 if you want to submit some type of responsive
16 testimony.

17 MR. SHEHADEH: Okay.

18 JUDGE ALBERS: And that would be July 17th.
19 Does that seem reasonable?

20 MR. SHEHADEH: That's fine.

21 JUDGE ALBERS: I was going to suggest a hearing
22 date, perhaps July 31st.

1 MR. SHEHADEH: Is that another status hearing?

2 JUDGE ALBERS: Well, that would be an
3 evidentiary hearing.

4 MR. KAUFMANN: I do know that I have a planned
5 vacation between like July 27th and August 3rd.

6 JUDGE ALBERS: Okay.

7 MR. KAUFMANN: And I'm currently scheduled to
8 be in about a three or four-week federal court trial
9 beginning August 5th. I've yet to figure out how
10 I'm going to be preparing for trial that week.
11 Federal court has a trailing calendar, and so we're
12 probably going to have that federal court trial
13 bumped as we go along.

14 JUDGE ALBERS: Okay.

15 MR. KAUFMANN: I would suggest this, because I
16 don't want to -- you need time to do your work,
17 obviously, after the hearing, but if everybody would
18 understand that the federal court proceeding might
19 interfere with the Commerce Commission hearing, then
20 maybe if we could set it early in August, first or
21 second week of August, and maybe notify you if
22 there's a problem, because that case could get

1 settled; it could get continued; it could get
2 appealed. A lot of different things could happen.

3 JUDGE ALBERS: Well, I was going to suggest
4 maybe another status hearing right after the July
5 17th day, and hopefully by then we'll have a better
6 idea of where your federal case --

7 MR. KAUFMANN: We would. Actually, if you want
8 to have it in July, it could be, you know, within a
9 week of receiving from Mr. Shehadeh his reply.

10 JUDGE ALBERS: Okay. When does your vacation
11 start? 27th?

12 MR. KAUFMANN: I want to say it's the 27th.

13 MR. CARLSON: Saturday is the 27th.

14 MR. KAUFMANN: The week of the 22nd, early that
15 week I think would be good.

16 JUDGE ALBERS: Okay. How about -- well, do you
17 just want to make it one week later, July 24th? A
18 status hearing that day?

19 MR. KAUFMANN: That would be fine.

20 JUDGE ALBERS: Does that work with your
21 schedule?

22 MR. SHEHADEH: July 24th.

1 JUDGE ALBERS: Any particular time that's good
2 or bad for anyone? How about 9:30?

3 MR. KAUFMANN: Okay.

4 JUDGE ALBERS: Well, is there anything else to
5 discuss today?

6 MR. KAUFMANN: Not from our side.

7 MR. SHEHADEH: I don't know how this works
8 because I have no legal training, but I want to
9 question Mr. Derber on the stand. Do I need to make
10 some type of summons for him to appear? I'm sure
11 he's going to be there anyway.

12 JUDGE ALBERS: Well, let me ask this; is it
13 your intention to put Mr. Derber on the stand, to
14 have him submit testimony?

15 MR. KAUFMANN: Yes, he's going to submit
16 testimony, and he would be available for
17 cross-examination.

18 JUDGE ALBERS: Okay. Anybody who submits
19 testimony, you can question them on what they said
20 in their testimony at the hearing. You don't need
21 to submit any kind of summons. You don't need to
22 really do anything.

1 MR. SHEHADEH: Okay.

2 MR. KAUFMANN: On that score, Mr. Shehadeh
3 mentioned calling a witness. I don't know. Are you
4 talking about anyone other than yourself or
5 Mr. Derber?

6 MR. SHEHADEH: I had a few people in mind, but
7 I haven't really decided on who exactly or what
8 information I need from certain people.

9 MR. KAUFMANN: Okay.

10 JUDGE ALBERS: Would these be people from CIPS
11 or people --

12 MR. SHEHADEH: No, people that I know.

13 MR. KAUFMANN: Would there be a requirement
14 that those people, if they're going to testify,
15 submit their prepared testimony on the date
16 indicated?

17 JUDGE ALBERS: They're actually going to submit
18 information? I guess I'm not really sure. You want
19 them to take the stand and testify essentially?

20 MR. SHEHADEH: Correct.

21 JUDGE ALBERS: Okay. If these people are your
22 witnesses in support of your position, are you

1 willing to have them do the same thing that you're
2 doing?

3 MR. SHEHADEH: It's not necessary, is it
4 though? It's not required.

5 JUDGE ALBERS: Well, typically it's our
6 practice here at the Commission that anybody who is
7 going to testify submit the testimony in writing
8 ahead of time. It still takes the discovery and
9 helps the hearing process move along smoother and
10 there's no surprises for either side. It works to
11 the benefit of both sides.

12 MR. SHEHADEH: Okay. So they answer questions
13 on paper or explain my point of view and then I ask
14 them the same question on the stand?

15 JUDGE ALBERS: Well, basically what happens at
16 the hearings, in any case in which someone has
17 written testimony that they're going to offer -- let
18 me back up a little bit.

19 If a particular witness in any case submits
20 written testimony prior to the hearing, once the
21 hearing comes, their lawyer, which is usually an
22 attorney, the attorney calls that individual to the

1 stand. That person is sworn in by the ALJ, and the
2 attorney then asks them is this your testimony; do
3 you swear this is the truth; you'd answer the same
4 way if you were asked these questions here today.
5 And so rather than go through all the same questions
6 and get the same answers again, we just take that
7 document and make that as the testimony of that
8 witness.

9 MR. SHEHADEH: Okay.

10 JUDGE ALBERS: Does that make sense?

11 MR. SHEHADEH: But what if I want to call them
12 again later? Something else comes up and I have new
13 questions that I didn't have before that weren't in
14 their testimony?

15 JUDGE ALBERS: Well, I suppose typically
16 parties make the best effort they can to anticipate
17 what type of information is necessary to present
18 their case. I guess not really knowing exactly what
19 is the nature of the questions you might have or the
20 nature of their testimony, I don't want to try to
21 tell you what, you know, would or would not happen
22 in that instance, but in every general sense that's

1 how it works. Do you think it would be possible for
2 those individuals, if you're going to have
3 additional individuals testify, to prepare written
4 statements?

5 MR. SHEHADEH: Yeah, I could have it by the
6 date that I'm suppose to submit mine.

7 JUDGE ALBERS: Right.

8 MR. SHEHADEH: Okay. If I do, I'll have it by
9 that date.

10 JUDGE ALBERS: Okay. That's fine.

11 MR. KAUFMANN: And those, just so Mr. Shehadeh
12 is clear then, if somebody would submit something in
13 the nature of prepared testimony, then they would
14 need to come here and be subject to
15 cross-examination.

16 MR. SHEHADEH: Okay.

17 JUDGE ALBERS: Right, and they'll be sworn in,
18 and CIPS can ask them questions about their
19 testimony.

20 MR. SHEHADEH: And when will I receive
21 Mr. Derber's testimony?

22 MR. KAUFMANN: June 28th.

1 JUDGE ALBERS: June 28th.

2 MR. SHEHADEH: Okay.

3 JUDGE ALBERS: All right. Is there anything
4 else? Any other clarifications?

5 MR. SHEHADEH: One more thing.

6 JUDGE ALBERS: Sure.

7 MR. SHEHADEH: How long is it going to take you
8 to test -- I really don't need the heating element
9 back, but I use that amp meter all the time.

10 MR. KAUFMANN: You know, I'm not sure, but I
11 can find out in the next couple of days, and I would
12 need to talk to Mr. Derber, but I would think --

13 MR. CARLSON: Couple weeks max.

14 MR. KAUFMANN: A couple weeks ought to do it.

15 MR. SHEHADEH: Okay.

16 JUDGE ALBERS: Okay.

17 All right. Anything else? I mean if you have
18 any procedural questions, now is the time to ask.

19 MR. SHEHADEH: No. You've made everything very
20 clear.

21 JUDGE ALBERS: Okay. And if anything else
22 comes to mind, you can ask at the July 24th status

1 hearing as well.

2 MR. SHEHADEH: Okay.

3 JUDGE ALBERS: Okay?

4 MR. KAUFMANN: Very good. Thank you.

5 JUDGE ALBERS: All right. If there's nothing
6 further, then I'll continue this matter to July 24th
7 at 9:30 a.m.

8 (Whereupon the case was continued to
9 July 24, 2002, at 9:30 a.m. in
10 Springfield, Illinois.)

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